

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 75 – SB 256

January 22, 2023

SUMMARY OF BILL: Extends criminal immunity to persons who are experiencing a drug overdose and who are seeking medical assistance, regardless of whether it is their first or subsequent overdose.

FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Pursuant to Tenn. Code Ann. § 63-1-156(b), any person who in good faith seeks medical assistance for themselves or a person experiencing or believed to be experiencing a drug overdose is shall not be arrested, charged, or prosecuted of a drug violation resulting from seeking such medical assistance. Such immunity is extended to a person experiencing a drug overdose only on the first overdose.
- The proposed legislation extends criminal immunity to a person experiencing a drug overdose and seeking medical attention from being arrested, charged, or prosecuted for a second or subsequent drug overdose.
- The proposed legislation is assumed to increase the frequency that an individual or person in the company of an individual who is experiencing a drug overdose seeks medical assistance for themselves or the incapacitated individual. It is estimated that providing immunity for such individuals for subsequent drug overdoses will not significantly impact state or local incarceration costs, as the number of felony and misdemeanor convictions for such persons under current law is estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner".

Krista Lee Carsner, Executive Director

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